

337253



UNITED STATES DEPARTMENT OF COMMERCE

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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07/337,253 04/13/89 PERRY

D

EXAMINER

SHAY, R

ART UNIT

PAPER NUMBER

3308

DATE MAILED:

04/14/92

PHILIP L. BATEMAN
555 SOUTH SEIGEL STREET
P.O. BOX 1105
DECATUR, IL 62525

NOTICE OF ALLOWABILITY

PART I.

1. ☒ This communication is responsive to the Appeal Brief filed 3/14/92
2. ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 1-11 and 14
4. ☐ The drawings filed on _____ are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. _____, filed on _____
6. ☒ Note the attached Examiner's Amendment.
7. ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☒ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - b. ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - c. ☒ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - d. ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☒ Examiner's Amendment
- ☒ Examiner Interview Summary Record, PTOL-413
- ☐ Reasons for Allowance
- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Philip Bateman on March 31, 1992.

IN THE SPECIFICATION: on page 2, in the Brief Description of Fig. 1 after "view" the words ~~of~~ one embodiment-- have been inserted, in the Brief Description of Fig. 2 before "apparatus" the words --embodiment of Fig. 1 of the-- have been inserted, and the following line has been inserted after the last line on page 2: --Fig. 3 is a cross-sectional view of a second embodiment of
the apparatus.--

on page 3, 19 lines up from the bottom of the page after "material" the words --as shown as pieces 10a and 10b in Fig.
3-- have been inserted.

IN THE DRAWINGS: It was agreed applicant would submit an additional figure labelled FIG. 3 which will be identical to Fig. 2 except that it will depict an enclosure made of two pieces of material labelled 10a and 10b, respectively, rather than made of the single piece of material 10 shown in Fig. 2.

The following is an Examiner's Statement of Reasons for Allowance: Applicant's arguments included in the Appeal Brief

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filed March 16, 1992 were well taken, the same position taken by the Board of Appeals in the Decision of August 23, 1991 having been overturned by the CAFC in the case of In re Amos, 21 USPQ2d 1271.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 1-11 and 14 are allowable over the prior art of record.

Any inquiry concerning this communication should be directed to Randy Shay at telephone number (703) 308-2907.


Randy C. Shay
Primary Examiner
Art Unit 338

R. Shay/rcs
April 08, 1992



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Washington, D.C. 20231

PHILIP L. BATEMAN
555 SOUTH SEIGEL STREET
P.O. BOX 1105
DECATUR, IL 62525

**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner
☐ This notice is issued in view of applicant's communication filed _____

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
07/337,253	04/13/89	012	SHAY, R	3308 04/14/92
First Named Applicant PERRY, DON A.				

TITLE OF INVENTION
TOUCH ENHANCING PAD

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3	128-630.000	797	UTILITY	YES	\$565.00	07/14/92

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the Status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by a charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.
- III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees.

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